

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO *et al.*,

Debtors.¹

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: PROMESA

: Title III

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: Case No. 17-BK-3283 (LTS)

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: (Jointly Administered)

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In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO ELECTRIC POWER AUTHORITY

Debtor.

X

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: PROMESA

: Title III

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: Case No. 17-BK-4780 (LTS)

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: **This filing relates only to
Case No. 17-BK-4780 (LTS)**

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**[PROPOSED] ORDER GRANTING OFFICIAL COMMITTEE OF UNSECURED
CREDITORS' MOTION IN LIMINE TO STRIKE AND EXCLUDE IMPROPER LAY
OPINION TESTIMONY OF FREDERIC CHAPADOS REGARDING ALLEGED
EFFECT OF 9019 SETTLEMENT ON PREPA TRANSFORMATION**

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Upon consideration of the *Official Committee of Unsecured Creditors' Motion in Limine to Strike and Exclude Improper Lay Opinion Testimony of Frederic Chapados Regarding Alleged Effect Of 9019 Settlement on PREPA Transformation* (the “Motion”), the Court having reviewed the Motion and the relief requested; the Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1331 and 48 U.S.C. § 2166(a); the Court determining that venue of this proceeding and the Motion in this District is proper under 28 U.S.C. § 1391(b) and 48 U.S.C. § 2167(a); notice of the Motion being adequate and proper under the circumstances; and after due deliberation and sufficient cause appearing; therefore, it is hereby ORDERED that

1. The Motion is GRANTED.
2. The declaration of Frederic Chapados is STRICKEN in its entirety.
3. Mr. Chapados is barred from offering testimony similar to his declaration at the hearing on the 9019 Motion.

[In the alternative]

1. The Motion is GRANTED.
2. The opinions contained in paragraphs 17, 18, 20, 21, 23, and 25-28 of the declaration of Mr. Chapados are STRICKEN.
3. Mr. Chapados is barred from offering testimony similar to the opinions contained in paragraphs 17, 18, 20, 21, 23, and 25-28 of his declaration at the hearing on the 9019 Motion.

Dated: _____
New York, New York

Hon. Laura Taylor Swain
UNITED STATES DISTRICT JUDGE